

**Draft
Environmental Assessment**

Wall Creek Wildlife Management Area Property Addition



September 14, 2015



***Montana Fish,
Wildlife & Parks***

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MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

A. Proposed state action

The proposed action is for the Montana Department of Fish, Wildlife and Parks (MFWP) to purchase 631.12 acres of land adjacent to Wall Creek Wildlife Management Area (WCWMA). The land was owned by Premier Bank of Minnesota, and then acquired by the Rocky Mountain Elk Foundation (RMEF) in 2014. MFWP has the opportunity to purchase these lands from RMEF. The proposed addition (hereafter “the addition”) would be incorporated into and managed as part of WCWMA.

B. Agency authority for the proposed action

Montana Fish, Wildlife and Parks has the authority under state law [§ 87-1-201, Montana Code Annotated (MCA)] to protect, enhance, and regulate the use of Montana's fish and wildlife resources for public benefit now and in the future, and to acquire land for this purpose (§ 87-1-209 MCA).

Part II and III of this EA include comprehensive analysis of the factors required by MCA 87-1-241:

1. Wildlife populations and use currently associated with the property (Part I, Narrative Summary; Part II, Section A #4)
2. Potential value of the land for protection, preservation, and propagation of wildlife; (Part I, Narrative Summary; Part II, Section A #4)
3. Management goals proposed for the land and wildlife populations, and where feasible, any additional uses of the land such as livestock grazing or timber harvest (Part I, Narrative Summary; Part II, Section A)
4. Any potential impacts to adjacent private land resulting from proposed management goals, and plans to address such impacts (Part II, Section B)
5. Any significant potential social and economic impacts to affected local governments and the state (Part II, Section B)
6. Land maintenance program to control weeds and maintain roads and fences (Part I, Narrative Summary)

This analysis will be made available for review by each owner of land adjacent to this property, and to any member of the public. A public hearing will be held in the affected area. See Part IV for more information on public outreach and distribution.

C. Anticipated Schedule

The EA will be released September 15 and have a 30-day public comment period.

D. Location affected by proposed action

The 631.12 acre property to be purchased exists in Madison County, approximately 20 miles south of Ennis Montana, at the northern boundary of WCWMA (Figure 1) Township 9 South, Range 1 West, Madison County, MT. Within T9S R1W as follows:

- Section 1: A tract of land located in the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ described as the “remainder of W1/2, SE1/4 Section 1” on certificate of survey filed in Book 7 of Surveys, page 1744-FC and as mapped in Figure 1 below.
- Section 10: The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$
- Section 11: The N $\frac{1}{2}$
- Section 12: NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$
Portions of Section 1, Township 9S Range 1W

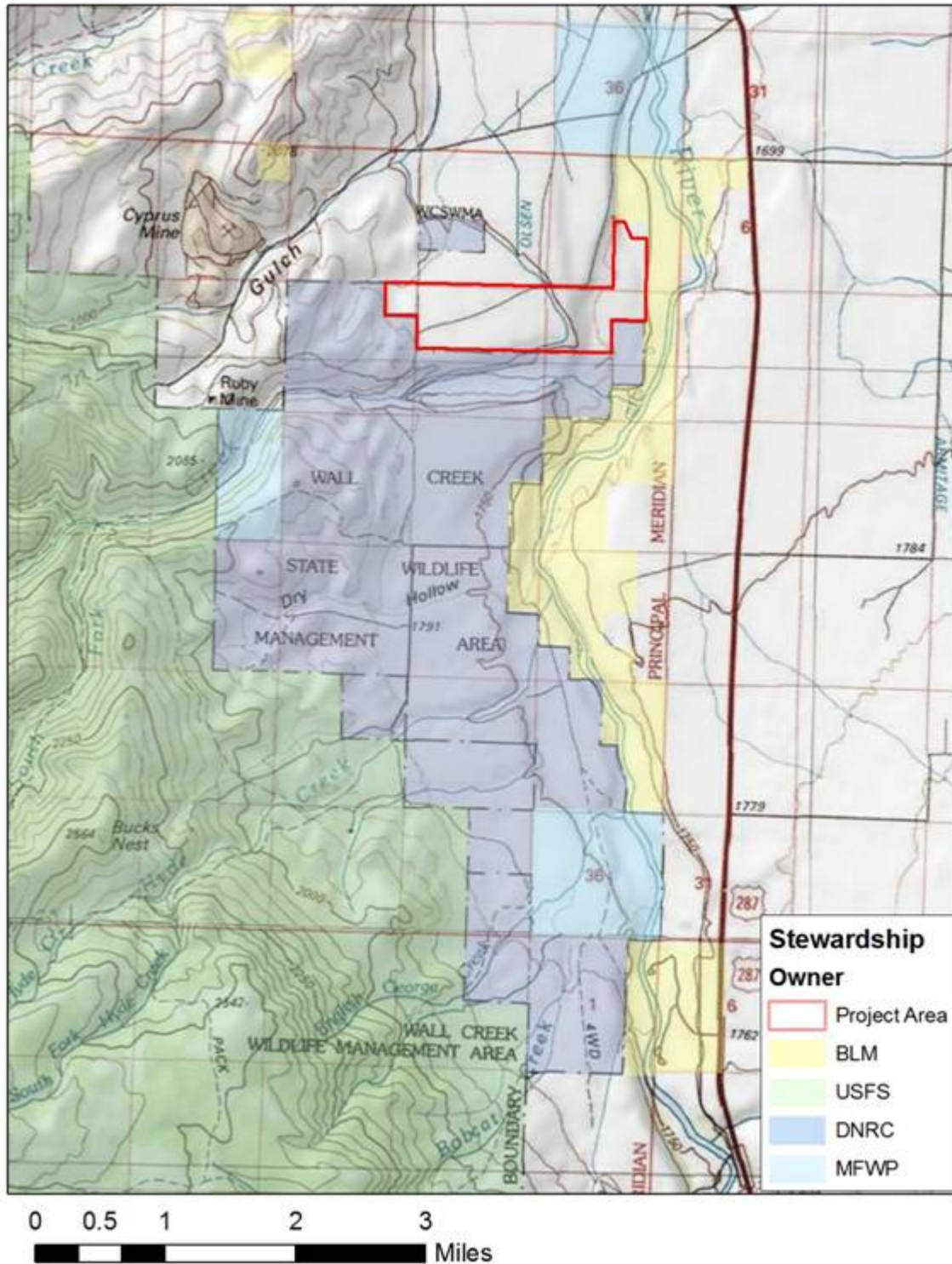


Figure 1: Wall Creek Wildlife Management Area and surrounding lands. The proposed 631.12-acre addition is outlined in red.

E. Project size

The total acreage of the property for purchase is approximately 631.12 acres. WCWMA currently comprises approximately 6,557 deeded acres. MFWP also cooperatively manages an additional 960 acres of DNRC land within or at WCWMA boundaries (Figure 1). The addition of this parcel would increase the size of the wildlife management area by almost 10%.

The addition includes approximately 620 acres of lower-montane, valley grasslands with approximately 10 acres of developed land. There is a house, shop, and outbuilding on these 10 acres. RMEF is currently in the process of selling the house for its removal from the site. The shop and apartment outbuildings would be retained and used for administrative purposes by MFWP.

F. Permits, Funding, and Overlapping Jurisdiction

Permits

N/A

Funding

The fair market value for this proposed addition, as determined by an appraisal that meets USPAP and Yellowbook standards, is \$1,041,000. The house on the property was not included in this appraisal as it had already been sold and is in the process of being removed from the property.

Habitat Montana Fund	\$ 260,250
<u>USFWS Pittman-Robertson</u>	<u>\$ 780,750</u>
Total	\$1,041,000

Other Overlapping or Additional Jurisdictional Responsibilities

<u>Agency Name:</u>	<u>Type of Responsibility</u>
FWP Fish & Wildlife Commission	purchase approval
Montana State Land Board	purchase approval
State Historic Preservation Office	cultural & historic resources
Madison County Weed District	weed inventory

This property would be acquired in part with grant funds provided by the U.S. Department of the Interior, Fish & Wildlife Service, pursuant to the Wildlife Restoration Program, and would be managed for the purposes of this grant, in accordance with applicable Federal and State law. Property may not be encumbered, disposed of in any manner, or used for purposes inconsistent with the Program for which it was acquired without the prior, written approval of the Regional Director, U.S. Fish and Wildlife Service, Region 6, Denver, Colorado.

G. Alternatives

Alternative A: No Action

Under the No Action alternative, MFWP would not purchase the property. RMEF would seek another buyer. Depending on the desires of the new owner, the habitat and wildlife values of the property may change, and subdivision could occur.

Alternative B: Proposed Action

MFWP proposes to purchase approximately 631.12 acres adjacent to WCWMA and to incorporate these lands as part of the WMA. The parcel comprises grassland habitat of high conservation value, providing important winter range for elk and pronghorn.

H. Narrative Summary of Proposed Action

1. Wildlife

The addition provides 631.12 acres of key winter range grassland habitat along the northern border of WCWMA (6,557 acres) in the Madison Valley. Adding this property to WCWMA would increase the size of the existing game range by about 10%, expanding dedicated habitat for wintering elk. WCWMA consistently supports about 2,000 wintering elk. Historically, elk have also commonly made use of the proposed addition. Securing this habitat helps reduce the potential for conflicts and would ensure this portion of elk winter range remains intact. Providing habitats that are dedicated to wintering elk also helps prevent game damage issues on neighboring lands. Other benefits from acquiring this land would be increased security for wintering and fawning pronghorn, and public hunting opportunity for elk, deer, antelope, and Hungarian partridge.

2. Management Goals and Plans

Upon acquisition, the property boundary would be signed and incorporated into WCWMA. Consistent with the rest of the WMA, this addition would be open to public use and access subject to MFWP Commission rules, including a December 1 – May 15 winter closure period for wildlife security. Most of the property is free of noxious weeds and remains in native grassland cover which generally requires limited maintenance except for weed suppression.

Priority management actions for the property would be weed control, removing unnecessary fences, replacing boundary fences with wildlife-friendly fencing, and rehabilitation of the area around the current housing site. The house has been sold and is scheduled for removal. In addition to the building site, an earlier landowner excavated an artificial pond of approximately 2 surface acres and used well water to fill it without acquiring all necessary permits. Under the proposed action, the pond would be drained, the pond liner material would be removed, and the site would be re-contoured and seeded back to permanent cover to prevent weed intrusion. The entrance road to the building site would not require maintenance except for weed control. FWP anticipates completing these actions within a 3-year period after purchase.

WCWMA is part of a rotational grazing system collaborative including adjacent USFS, BLM, and DNRC lands. This collaborative has been functioning for 33 years. Vegetation monitoring on the WMA has shown stable to improving trends, and elk herds are using the landscape as predicted according to the timing of the grazing rotation. The addition has not been a part of the grazing collaborative, and including this property into the grazing collaborative is not proposed within this EA. If incorporation into the grazing collaborative were proposed in the future, MFWP would complete a separate environmental assessment process.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

A. Physical Environment

1. Land Resources

No natural hazards have been identified on this land. A Phase I Environmental Site Assessment was conducted in 2012 by West Central Environmental Consultants which found no hazardous substances on the land. A review of the USDA's Natural Resource Conservation Service's soils survey database information for the addition reported there are no areas classified as Prime Farmland within the property (USDA NRCS Web Soil Survey accessed 8/5/15).

No Action

RMEF would sell the property, likely placing it into private land ownership. RMEF holds mineral rights associated with the property which would likely transfer to the new owner. If sold, possibilities for use could include subdivision, mining, farming, grazing, or other uses.

Proposed Action

Given the proposed action is to simply acquire the land and place it into MFWP administration, there would be little overall effect to soil conditions. Removal of the existing structures and the pond may leave open foundations to be refilled and reseeded for restoration. This proposed action includes no plans for construction of new structures or agricultural operation (i.e., farming or grazing). If any such plans are proposed in the future, MFWP would publish a separate EA. RMEF would transfer mineral rights to MFWP upon purchase.

2. Air and Water

The addition is not in a designated flood zone as per the appraisal and zoning. There is no FEMA map available for this area. A 2-acre pond is on-site.

No Action

Air and water quality could be affected if the property became subdivided or land management activities changed. Potential changes could result in negative impacts depending on use of the property.

Proposed Action

The proposed action would not alter air quality on the WMA. The addition would result in several positive changes to water use, quantity, and quality on the land. We anticipate reduction in herbicides or pesticides applied to the pond and surrounding landscaping, excepting only routine WMA weed control. Pumping of groundwater to the pond would no longer occur therefore reducing impacts to groundwater. Finally, with removal of the pond liner, water would again be able to infiltrate the ground at the pond site, and perennial vegetation would be established.

3. Vegetation

The western portion of the addition seems to be in good condition with native forbs, native and non-native grasses. A 7/27/15 search of the Montana Natural Heritage Program revealed three rare or at-risk vascular plant species which may be in the area: railhead milkvetch (*Astragalus terminalis*, S2S3), limestone larkspur (*Delphinium bicolor* spp., S3S4), and spiny skeletonweed (*Pleicanthus spinosus*, S2S3). State rankings are as follows: S2 refers to species vulnerable to extinction or extirpation in the state, S3 refers to species potentially at risk, and S4 are species apparently secure though may be rare in areas.

On the eastern portion near the Ruby Road, several noxious weed issues occur. These include spotted knapweed (*Centaurea maculosa* or *Centaurea stoebe*), houndstongue (*Cynoglossum officinale*), and black henbane (*Hyoscyamus niger*). Adjacent properties also have infestations of Dalmatian toadflax (*Linaria genistifolia*), wooly mullein (*Verbascum thapsus*), and kochia (*Kochia scoparia*).

There are no wetlands associated with the addition (USFWS National Wetlands Inventory database, accessed 8/5/15).

No Action

Depending on the future owner and use of the property, native vegetation could be lost through subdivision. Weed control, if any, would be uncertain.

Proposed Action

The quality and condition of the plant community is expected to improve under the proposed action, as MFWP emphasizes protection of diversity and abundance of native plant species on WMAs through weed control and responsible management. MFWP would work to control the amount and spread of noxious weeds (see Narrative Summary; Management Goals and Plans) through chemical and biological methods under the guidance of FWP's 2008 Integrated Noxious Weed Management Plan.

The parcel had been used for residential purposes, so this addition would not result in a reduction in acreage or productivity of agricultural lands.

4. Fish and Wildlife

A 7/25/15 search of the Montana Natural Heritage Program indicated seven species of birds and mammals of conservation interest at or near the proposed addition (Table 1). At the state level, rankings range from "at risk of extinction or extirpation" (S2) to "apparently secure though may be rare, and/or suspected to be declining" (S4).

The grizzly bear is the only threatened species known to exist near the property. Although grizzlies have been documented on WCWMA, their locations have generally coincided with the forested and riparian portions to the west.

Table 1: Animal species of concern near the proposed addition
<http://mtnhp.org/SpeciesOfConcern/>

Common Name	Scientific Name	Global Rank	State Rank
Grizzly Bear	<i>Ursus arctos</i>	G4	S2S3
Hoary Bat	<i>Lasiurus cinereus</i>	G5	S3
Little Brown Myotis	<i>Myotis lucifugus</i>	G3	S3
Wolverine	<i>Gulo gulo</i>	G4	S3
Bald Eagle	<i>Haliaeetus leucosephalus</i>	G5	S4
Long-billed curlew	<i>Numenius americanus</i>	G5	S3B
McCown's Longspur	<i>Rhynchophanes mccownii</i>	G4	S3B

No Action

Depending on future property use, habitat for several wildlife species could be lost. Security for wintering wildlife could be reduced if the area became subdivided or human use increased. Fences could be erected or maintained at the new owner's discretion, and may or may not meet wildlife-friendly standards. Potential for private property conflicts with black and grizzly bears and other wildlife would be higher.

Proposed Action

The proposed addition would increase lands available for wildlife including elk, mule deer, pronghorn, Hungarian partridge, and other species. The addition is expected to improve the ability of wildlife to move/migrate across the landscape through increased security, connectivity with other public lands, and because MFWP would remove unnecessary interior fencing and maintain fencing to wildlife-friendly standards. As part of WCWMA, the addition would be closed to all human use during winter and early spring (December 1 to May 15) to provide security and prevent stress on wintering wildlife caused by recreation or other activities. The addition will not be of high value for grizzly bear conservation, but the change in ownership will reduce the potential for grizzly and black bear conflicts on private property. No species would be moved or exported in this proposed action.

B. Human Environment

1. Noise/Electrical Effects

No Action

Under almost any other use (subdivision, farming, grazing, mining), noise and electronic emissions would likely increase.

Proposed Action

When the existing house is moved off site, there would be temporary construction noise. There may also be periodic construction noise related to remediation of the pond, and fence removal or maintenance on the site. Overall, noise presence is expected to be less than would occur with this property under individual ownership with a full or part-time residence. There would be less traffic and electronic emissions. Under the proposed action, there should be general decreases in all existing noise levels and any electrostatic or electromagnetic presence.

2. Land Use

No Action

Several potential ownership scenarios could cause conflicts with adjacent use of the WMA. Subdivision could impact the efficacy of the WMA for wintering wildlife habitat, security, and migrations. Development would preclude public hunting and recreation access and would negatively impact the view-shed for public enjoyment of the Madison River and BLM recreation areas nearby.

Proposed Action

The proposed action brings a benefit to nearby natural areas (USFS and BLM) in the addition to the WCWMA. There are no anticipated conflicts with any existing land uses on or around the site. The change in land ownership would include removal of an empty (unoccupied) house on site. There would be no relocation of any occupied residences, but there would be relocation of an empty structure. Public hunting and recreation access would be allowed from May 15-December 1 (outside the winter closure period).

3. Risk/Health Hazards

A Phase I Environmental Site Assessment was conducted in 2012 by West Central Environmental Consultants, which found no hazardous substances on the land.

No Action

Depending on future use, hazardous materials may or may not be stored on site. Weeds may or may not be controlled with herbicides.

Proposed Action

Risks or health hazards in the area would not be expected to increase. Herbicides would be used for routine weed control under the guidance of FWP's 2008 Integrated Noxious Weed Management Plan.

4. Community Impact

No Action

If sold to a private party, one or more human residences could be erected on the property. There could be corresponding increases in traffic and other uses. The property would likely become unavailable for public recreation.

Proposed Action

Addition of this parcel to public ownership reduces area available for one or more human residences. Given the small scale of this property, and given other nearby developments, this reduction would not impact the overall distribution, density, or growth rate of the human population in the Madison Valley. There would be no impacts to social structures, level of employment or personal income, changes in industrial or commercial activity, or increased traffic or hazards. Public recreational opportunities would increase.

5. Public Service/Taxes/Utilities

No Action

Power, natural gas, communications, energy use, and governmental services would be required in most private-ownership scenarios. Tax futures would be difficult to predict.

Proposed Action

Power, natural gas, communications, energy use, and governmental services would all be reduced with the removal of the residence on-site. Local or state tax base and revenues should not change from *status quo*, as MFWP pays taxes equivalent to what a private landowner would pay (MCA 87-1-603). The 2013 taxes paid were \$3,352.00, and this payment with county adjustments, would continue under MFWP ownership.

The proposed action would not result in any projected revenue to MFWP. WMA work crews would need to budget more time and resources toward this property during the first 3 years after it is acquired. For the long-term, there should be little additional cost as maintenance of this parcel would be part of WCWMA and integrated into the Region 3 WMA maintenance team annual work plan (Part I, Section H #2 for management goals and plans).

6. Aesthetics/Recreation

The property does not include any designated or proposed wild or scenic rivers, trails, or wilderness areas.

No Action

Under most future ownership scenarios, the natural scenic vista, aesthetic character, recreational, and tourism qualities would decrease as the area would likely be less available for public use and have more structures visible from adjacent recreation areas and the Madison River.

Proposed Action

The proposed action would increase the natural scenic vista, aesthetic character, recreational, and tourism qualities of the area through removal of structures, and through opening these acres to public use. Public use would include wildlife viewing, hiking, hunting, photography, and other recreation.

7. Cultural/Historical Resources

There is no historic structure present on-site, and no unique cultural, religious, or sacred uses identified on this property. There are rock lines and other relics of Native American use on adjacent and nearby properties.

No Action

No anticipated effect to potential historic or cultural resources.

Proposed Action

No anticipated effect to potential historic or cultural resources.

8. Significance Criteria

No Action

Cumulative effects to the physical and human environment would likely be negative. RMEF would be forced to sell the property to another buyer. Under many scenarios, public recreation access to the property could be lost, benefits to wildlife habitat could be negated, and conflicts could arise.

Proposed Action

The proposed action is expected to have positive cumulative effects with no negative effects foreseen. Cumulative benefits would include enhanced wildlife habitat, ungulate winter range, and movement corridors. In turn, this will increase opportunities for public hunting access and for other public recreation. The project connects existing areas of public land and enhances the conservation opportunities present. The proposed action is not expected to have opposition, controversy, potential risks, or adverse effects.

PART III. NARRATIVE EVALUATION AND COMMENT

The goal of proposed addition is to provide additional wildlife habitat and security to an important property adjacent to Wall Creek Wildlife Management Area. Air, water, and vegetation resources are expected to benefit through this purchase and subsequent management. Wildlife resources would benefit from the addition of this parcel through expanded secure winter habitat and habitat management when incorporated into Wall Creek Wildlife Management Area. The public would be able to enjoy the property through spring, summer, and fall recreation opportunities including wildlife watching, photography, hiking, and big game and upland bird hunting.

PART IV. PUBLIC PARTICIPATION

A. Level of Public Involvement

The public will be notified in the following manners to comment on this current EA, the proposed action and alternatives:

Public notices in the Bozeman Chronicle, the Helena Independent Record, and the Madisonian. Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.

Copies of this environmental assessment will be distributed to interested parties to ensure their knowledge of the proposed project.

B. Duration of Comment Period

The public comment period will extend for 30 days following the publication of the legal notice in area newspapers. Written comments will be accepted until October 15, 2015, and can be mailed to the address below (Part V).

PART V. EA PREPARATION

Based on the significance criteria evaluated in this EA, an EIS is not required. The proposed action is expected to be a benefit to the physical and human environment. The property ownership change will not result in any new structure or development on the site.

Person responsible for preparing the EA:

Julie A. Cunningham
Bozeman Area Biologist
1400 S. 19th Avenue
Bozeman, MT 59718
(406) 994-6341
juliecunningham@mt.gov